

SUPPORTING STATEMENT - FORM STB-54
(as revised in proposed rule EP 431 (Sub-No. 4))

A. Justification:

1. (a) Why the collection is necessary. The Surface Transportation Board (Board) has broad statutory authority to provide economic regulatory oversight of railroads, addressing such matters as rates, service, the construction, acquisition and abandonment of rail lines, carrier mergers, and interchange of traffic among carriers (49 U.S.C. §§ 10101-11908). The collection in Form STB-54—carrier annual reports of the number of cars loaded and cars terminated on the reporting carrier’s line—is required under 49 C.F.R. § 1247. Information reported in this form is entered into the Uniform Railroad Costing System (URCS), which is a cost-measurement methodology. The Board is authorized to collect this information pursuant to 49 U.S.C. § 11145.

(b) Why the proposed revisions are necessary. In a Notice of Proposed Rulemaking (Ex Parte No. 431 (Sub-No. 4), the Board proposes to modify this collection to require railroads to provide additional data regarding the number of shipments. This modification will provide the Board with information relevant to proposed changes in the way that URCS calculates "switch engine minute" costs and station clerical costs. This change will better account for economies of scale obtained in higher-volume shipments and thus render more accurate unit costs. Because the Board is proposing to add this requirement for information regarding number of shipments, the Board also proposes to change the title of Form STB-54 from “Annual Report of Cars Loaded and Cars Terminated” to “Annual Report of Cars and Shipments Originated and Terminated.”

2. How the collection will be used. URCS was developed by the Board pursuant to 49 U.S.C. §§ 11161-62 and is used in rail rate proceedings as a tool to calculate the variable costs of providing a particular rail service in accordance with 49 U.S.C. § 10707(d). The Board also uses URCS to analyze the information that it obtains through the annual railroad waybill sample, pursuant to 49 U.S.C. §§ 721, 10707, 11144-45 and 49 C.F.R. § 1244, and in railroad abandonment proceedings to measure off-branch costs (see 49 U.S.C. § 10904(a); 49 C.F.R. § 1152.32(n)). Additionally, many other Federal agencies and industry groups depend on Form STB-54 for information regarding the number of cars loaded and terminated on the reporting carrier’s line.

3. Extent of automated information collection. The respondent carriers have for many years maintained Form STB-54 in a computerized format. The railroads enter their data on the computerized version of the form and submit a pdf of the required signed copy to the Board. The Board facilitates timely filing by permitting responders to fax or email as a pdf the required signed form.

4. Identification of duplication. No other Federal agency collects the information in this report, nor is this information available from any other source. Therefore, there will be no duplication of information. In most instances, the information sought is unique to each carrier.

5. Effects on small business. No small entities will be affected by the collection of this information. This report is applicable only to Class I railroads, which have operating revenues in excess of \$250 million (1991 dollars) adjusted for inflation. The Board has adopted an indexing methodology that will ensure that regulated carriers are classified based on real business expansion, rather than the effects of inflation.

6. Impact of less frequent collections. The Board cannot fulfill its statutory responsibilities without annual information on the number of cars loaded and cars terminated on the reporting carrier's line.

7. Special circumstances. No special circumstances described in question 7 apply to this collection.

8. Compliance with 5 C.F.R. § 1320.8. As part of its proposed rule, the Board has published a notice providing a 45-day comment period regarding the proposed modification. An additional 30 days are provided for replies to comments. The Notice of Proposed Rulemaking is published at 78 Fed. Reg. 7718 (Feb. 4, 2013).

9. Payments or gifts to respondents. The Board does not provide any payment or gift to respondents.

10. Assurance of confidentiality. All information collected through this report is available to the public.

11. Justification for collection of sensitive information. There are no questions of a sensitive nature with respect to the information collected.

12. Estimation of burden hours for respondents. The following information pertains to the estimate of burden hours associated with this collection:

(1) Number of respondents: 7.

(2) Frequency of response: Each Class I carrier is required to file the annual STB-54 report.

(3) Annual hour burden per respondent and total annual hour burden for all respondents: Based on information provided by the railroad industry, it is estimated that it takes no more than 4 man-hours each time a report is prepared. The total annual burden hours for all 7 respondents was estimated at no more than 28 hours (7 (respondents) x 4 hours each). This estimate included the time needed to gather the information and edit,

review, type, and proofread the data. The Board estimates that the proposed modification will require a one-time addition of 9 start up hours (annualized at 3-hours per year per respondent over the 3-year approval period). Therefore, the total additional annual hour burden for all seven respondents will be 21 hours, resulting in a total annual burden of 49 hours.

13. Other costs to respondents: There are no non-hour start up costs associated with the proposed modification to this collection. In addition, no non-hour costs for the operation, maintenance, or purchase of services associated with this collection have been identified. These forms are submitted electronically.

14. Estimated costs to the Board: We estimate that it takes one hour (GS 13/1 hourly rate with benefits of \$52.90) to review each of the seven filings per year, five minutes (0.08 hours) (GS 14/5 hourly rate with benefits of \$70.84) to enter the data into URCS, and two hours (GS 14/10 hourly rate with benefits of \$81.26) to post the reports on the website, resulting in a cost to the Board of \$539.

15. Changes in burden hours. As explained above, the Board is requesting an additional 21 annual burden hours as a result of one-time start-up costs associated with the modifications to the form required in the proposed rule.

16. Plans for tabulation and publication: Past reports are available upon request. Future reports will be posted on the Board's website.

17. Display of expiration date for OMB approval. No exception is sought. The control number and expiration date for this collection appear on the form.

18. Exceptions to Certification Statement. Not applicable

B. Collections of Information Employing Statistical Methods: Not applicable